

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ROSA A. PAGAN CARREAR

DEBTOR(S)

CASE NUMBER: 10-02298 (ESL)

CHAPTER 13 ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. **In order to provide for arrears with Chapter 13 plan.**

3. Debtor (s) amend plan call five(5) payment of \$600.00, one (1) payment of \$0.00, five (5) payments of \$600.00, five (5) payments of \$800.00, nine (9) payments of \$900.00 and thirty five(35) payments of \$1,220.00 for a total base of \$60,800.00 dollars with a provision for the payment of pre petition arrears to Doral Bank, pays in full Asociacion de Condomines and Educoop and the Surrenders Shares to Educoop.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 13th, day of September, 2010.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ **Marilyn Valdes Ortega**
MARILYN VALDES ORTEGA
USDC PR 214711
P.O. Box 19559
San Juan, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144
E-mail valdeslaw@prtc.net

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. **10-02298 ESL**

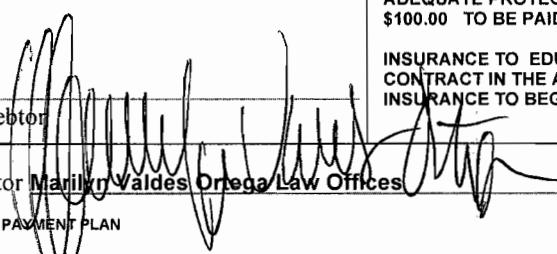
PAGAN CARRER, ROSA ANTONIA

Chapter **13**

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

<p>PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION</p> <p>I. PAYMENT PLAN SCHEDULE</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>\$ 600.00 x 5 = \$ 3,000.00</td></tr> <tr><td>\$ 0.00 x 1 = \$ 0.00</td></tr> <tr><td>\$ 600.00 x 5 = \$ 3,000.00</td></tr> <tr><td>\$ 800.00 x 5 = \$ 4,000.00</td></tr> <tr><td>\$ 900.00 x 9 = \$ 8,100.00</td></tr> <tr><td>\$ 1,220.00 x 35 = \$ 42,700.00</td></tr> <tr><td style="text-align: right;">TOTAL: \$ 60,800.00</td></tr> </table> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: <input type="checkbox"/> Other:</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ 60,800.00</p> <p>III. ATTORNEY'S FEES (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,900.00</p> <p>Additional Fees \$ 350.00 Total: \$ 3,250.00</p> <p>Signed: <u>/s/ ROSA ANTONIA PAGAN CARRER</u> Debtor  Joint Debtor</p>	\$ 600.00 x 5 = \$ 3,000.00	\$ 0.00 x 1 = \$ 0.00	\$ 600.00 x 5 = \$ 3,000.00	\$ 800.00 x 5 = \$ 4,000.00	\$ 900.00 x 9 = \$ 8,100.00	\$ 1,220.00 x 35 = \$ 42,700.00	TOTAL: \$ 60,800.00	<p><input checked="" type="checkbox"/> AMENDED PLAN DATED: 9/13/2010 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other</p> <p>II. DISBURSEMENT SCHEDULE</p> <p>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. DORAL BANK Cr. _____ Cr. _____ # _____ # _____ # _____ \$ 18,554.15 \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. ASOCIACION DE CO Cr. EDUCOOP Cr. _____ # APTO. 602 # 04165510 # _____ \$ 4,417.65 \$ 17,479.16 \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: EDUCOOP 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: DORAL BANK C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. <p>OTHER PROVISIONS: (Executive contracts; payment of interest to unsecureds, etc.) TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.</p> <p>PLAN WILL INCREASE WHEN DEBTOR PAYOFF RETIRO LOANS.</p> <p>ADEQUATE PROTECTION PAYMENT TO EDUCOOP (AUTO LOAN) UNTIL CONFIRMATION \$100.00 TO BE PAID BY TRUSTEE MONTHLY.</p> <p>INSURANCE TO EDUCOOP (AUTO LOAN) THROUGH TRIPLE S AT THE END OF SALES CONTRACT IN THE APPROXIMATE AMOUNT OF \$480.00 DISBURSEMENT TO TRIPLE S INSURANCE TO BEGIN AT END OF THE SALES CONTRACT ON MARCH 2014</p> </p>
\$ 600.00 x 5 = \$ 3,000.00								
\$ 0.00 x 1 = \$ 0.00								
\$ 600.00 x 5 = \$ 3,000.00								
\$ 800.00 x 5 = \$ 4,000.00								
\$ 900.00 x 9 = \$ 8,100.00								
\$ 1,220.00 x 35 = \$ 42,700.00								
TOTAL: \$ 60,800.00								

Attorney for Debtor Marilyn Valdes Omega Law Offices

Phone: (787) 758-4400

PAGAN CARRER, ROSA ANTONIA
PO BOX 361795
SAN JUAN, PR 00936

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918

SEARS
PO BOX 183081
COLUMBUS, OH 43218-3081

Marilyn Valdes Ortega Law Offices
PO BOX 19596
SAN JUAN, PR 00919-5596

DORAL BANK
PO BOX 71528
SAN JUAN, PR 00936-8628

SPRINT
PO BOX 20040
SAN JUAN, PR 00928-0040

ASOCIACION DE CONDOMINES
CONDOMINIO CITY CENTER
155 CALLE TAFF
SASN JUAN, PR 00911

EDUCOOP
PO BOX 192770
SAN JUAN, PR 00919-2770

AT & T
PO BOX 15067
SAN JUAN, PR 00902-8567

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

AT & T
700 LONGWATER DR.
NORWELL, MA 02061

GE MONEY BANK
JC PENNEY
PO BOX 981402
EL PASO, TX 79998

CENTENIAL DE PUERTO RICO
PO BOX 71514
SAN JUAN, PR 00936

GE MONEY BANK
JC PENNEY PR
PO BOX 364788
SAN JUAN, PR 00936

CENTENNIAL
PO BOX 15391
WILMINGTON, DE 19850

JC PENNEY
PO BOX 960090
ORLANDO, FL 32896-0090

CITIBANK
PO BOX 740281
HOUSTON, TX 77274

LCDO. ORLANDO A. PINEIRO VEGA
133 CALLE EBRO, URB. EL PARAISO
SAN JUAN, PR 00926

DEPARTAMENTO DE EDUCACION
AVE. TENIENTE CESAR GONZALEZ
ESQINA CALAF
HATO REY, PR 00919

PR TELEPHONE CO
PO BOX 360998
SAN JUAN, PR 00936-0998

DEPARTAMENTO DE HACIENDA
PASEO COVADONGA, NUM. 10
EDIF. INTENDENTE RAMIREZ
SAN JUAN, PR 00902-4140

RELIABLE FINANCIAL SERVICES
9615 AVE. LOS ROMEROS, SUITE 1100
URB. MONTEHIEDRA
SAN JUAN, PR 00926